

Challenges and recommendations on access to information to advance UNCAC implementation and the fight against corruption

Global Civil Society Coalition for the UNCAC¹ Submission to the
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Access to information (ATI) is a fundamental pillar in the global fight against corruption. It enables transparency, fosters governments' accountability, supports democratic participation, and is essential for civil society, journalists, and citizens to monitor public decisions and institutional performance, while also deterring corrupt practices.

The United Nations Convention against Corruption (UNCAC) enshrines ATI notably in **Article 10 on public reporting** -calling for facilitating access to information on the functioning and decision-making processes of public authorities and for publishing information on corruption risks-, and **Article 13, which emphasises the importance of ATI to facilitate the participation of society** in the prevention and fight against corruption.²

ATI legal frameworks have expanded significantly since the adoption of the UNCAC and recent reports on UNCAC implementation³ indicate that approximately 65% of States reviewed under the second UNCAC review cycle adopted access to information legislation. However, **persistent implementation gaps and practical restrictions to ATI in UNCAC States Parties continue to undermine its transformative potential.**⁴

¹ Has been known as the UNCAC Coalition.

² Access to information is notably recognized by Article 19 (2) of the International Covenant on Civil and Political Rights (ICCPR), included in the Political declaration of the UN General Assembly Special Session against corruption (2021) as part of the preventive measures (paragraph 22), and in Target 16.10 of the Sustainable Development Goals (Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements).

³ UNODC (2025), *State of implementation of the United Nations Convention against Corruption: Preventive Measures and Asset Recovery*, https://track.unodc.org/track/uploads/res/track/resourcehub/2025/state_of_implementation_of_the_united_nations_convention_against_corruption_preventive_measures_and_asset_recovery_html/UNODC_2025_State_of_UNCAC_-_Preventive_measures_and_asset_recovery.pdf; UNODC (2025), *Implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption - Thematic report prepared by the Secretariat*, <https://docs.un.org/en/CAC/COSP/2025/5>.

⁴ See conclusions of the study UNODC (2025), *State of implementation of the United Nations Convention against Corruption: Preventive Measures and Asset Recovery*. In addition, civil society's SDG16Now Campaign found that, while some countries have adopted new laws on access to information, progress is too slow to meet the target, with indicators suggesting that progress on the implementation of laws has been backsliding (<https://sdg16now.org/report/target16-10/>).

These obstacles contrast with **limited attention from States Parties⁵ and lack of updated thematic guidance from UNODC.⁶** Consistently, CoSP Resolution 11/4 on the prevention of corruption calls for States Parties to adopt and implement laws, regulations and mechanisms that facilitate ATI on key aspects of governance, the economy and social sectors linked to corruption, including user-friendly procedures for submitting and responding to information requests, and requests the Working Group on Prevention to discuss best practices and challenges in this regard at its seventeenth session in May 2026.⁷

This statement from the Global Civil Society Coalition for the UNCAC aims to contribute to these discussions by highlighting key ATI challenges, complementing the latest UNODC assessments on UNCAC implementation with a civil society perspective, and proposing recommendations to the Conference of the States Parties, governments and relevant stakeholders.

A global look at ATI legal frameworks shows formal alignment with UNCAC provisions: **32 States showed good practices under Article 10⁸ and 40 States showed good practices under Article 13⁹,** according to UNODC reports. However, in practice, ATI remains deeply constrained across regions: 60% of countries that concluded their 2nd cycle UNCAC review received recommendations to adopt, reform, or better implement ATI frameworks. Moreover, **civil society organizations (CSOs) consistently report that legal adoption does not translate into effective access.¹⁰**

Challenges identified in UNCAC implementation reports, and reinforced by civil society monitoring and research, show a stagnation or even regression in transparency, and obstructions to public reporting and the participation of society in anti-corruption efforts. **These challenges directly affect the implementation of UNCAC provisions, and include:**

⁵ No dedicated resolutions focusing on access to information have been adopted the UNCAC CoSP.

⁶ The last relevant UNODC report dates back to 2016, and was based on information collected by only 17 countries. See UNODC Thematic compilation of prevention-related information at <https://www.unodc.org/corruption/en/cosp/WGP/access-to-information.html>.

⁷ Besides, resolution 11/7 calls upon States Parties to ensure effective access to information and support efforts to promote transparency in the funding of political parties and electoral campaigns.

⁸ Including adopting frameworks for information disclosure and access to information upon request, and simplifying administrative procedures through digitalization.

⁹ Including public engagement opportunities and consultations when drafting anti-corruption policies or strategies, enhanced public participation through the use of digital platforms, and awareness-raising efforts.

¹⁰ RTI Rating, Global Right to Information Rating Map, <https://www.rti-rating.org/>. See as well McIntosh, T. (2024, August 19), "More than 50 countries lack ATI laws: Why not and what's being done?", in Eye on Global Transparency, <https://eyeonglobaltransparency.net/2024/08/19/more-than-50-countries-lack-ati-laws-why-not-and-whats-being-done/>. See as well civil society research findings: https://www.v-dem.net/documents/75/V-Dem_Institute_Democracy_Report_2026_lowres.pdf.

1) Weak legal frameworks¹¹

Over 50 States Parties have not adopted any comprehensive ATI law or regulation.¹² Many laws have **gaps, such as incomplete definitions** of public officials, overly broad exemptions allowing authorities to deny information, or lack of a public interest test which preserves ATI when in conflict with other rights.¹³ In other cases, **implementation is uneven** and does not yield the expected results.¹⁴ For instance, a study of ATI legal frameworks across 15 European countries showed that high legal scores do not always guarantee a good practice of access to information.¹⁵

In some countries, legal amendments have **broadened exceptions and increased opacity**. For example, the governments of several Latin American countries adopted decrees restricting the scope of ATI, with exceptions that go beyond the law.^{16,17,18}

¹¹ Challenges 1 to 4 affect the implementation of the following UNCAC provisions: Article 10(a): "Procedures or regulations allowing the public to obtain information on the organization, functioning and decision-making processes of its public administration and on decisions and legal acts that concern members of the public" and Article 13.1(b). "Ensuring that the public has effective access to information".

¹² ARTICLE 19, "The Right to Information around the World," <https://www.article19.org/right-to-information-around-the-world/>.

¹³ Africa Freedom of Information Centre, Global Comparative Testing of Responses to Requests for Information, November 18, 2025, <https://www.africafoicentre.org/wpdmpro/global-comparative-testing-of-responses-to-requests-for-information/?wpdmurl=28463&refresh=6948e1dec90e81766384094>.

¹⁴ McIntosh, T. (2024, August 19), "More than 50 countries lack ATI laws: Why not and what's being done?", in Eye on Global Transparency; Africa Freedom of Information Centre, Global Comparative Testing of Responses to Requests for Information, November 18, 2025.

¹⁵ Research study carried out under the Access to Information Network Project, led by Access Info Europe, mySociety, and the Open Knowledge Foundation Germany, accessible at <https://www.access-info.org/2025-08-22/access-info-ranks-ati-laws-in-15-european-countries-with-public-request-platforms/>. Additionally, a civil society organization from another European country claimed that public access to information is extremely limited and hampered by inadequate legislation. When information is published, it is often fragmented, scattered, and difficult to find. It is also not accessible to groups in society that are facing discrimination and exclusion, e.g. because of language barriers or disability.

¹⁶ Through a necessity and urgency decree, the Executive Branch in Argentina (Decree 780/2024) restricted the scope of the right of access to information, establishing exceptions to disclosure that go beyond what the law provides. Organizations across the country spoke out against the decision. See: Asociación Civil por la Igualdad y la Justicia (ACIJ), "El Poder Ejecutivo reglamentó de forma restrictiva y regresiva el derecho de acceso a la información pública", September 3, 2024, <https://acij.org.ar/el-poder-ejecutivo-reglamento-de-forma-restrictiva-y-regresiva-el-derecho-de-acceso-a-la-informacion-publica/>, and ACIJ, "Un decreto no puede limitar el acceso a la información pública", September 4, 2024, <https://acij.org.ar/un-decreto-no-puede-limitar-el-acceso-a-la-informacion-publica/>.

¹⁷ In several countries across different regions, annual statements of assets and liabilities of members of Parliament used to be published but recent legal requirements have been amended to limit public access, or decisions by regulatory authorities limit disclosure of income and asset data. For instance, see Free and Fair Election Network (FAFEN), "Restrictions on Public Disclosure of MPs' Assets on the Cards," January 21, 2026, <https://fafen.org/restrictions-on-public-disclosure-of-mps-assets-on-the-cards/>.

¹⁸ Furthermore, in some jurisdictions, reliance on executive directives as the primary instrument for transparency creates a fragmented landscape. Without an act of parliament binding all branches of government, the legislative and judicial sectors remain opaque, and the transparency framework is incomplete and vulnerable to administrative reversal.

2) Ineffective oversight and enforcement mechanisms

Effective appeals and independent oversight bodies are needed to ensure that ATI works in practice.¹⁹ Around half of the countries with laws have created or appointed an independent body, such as an information commission, to hear appeals and provide general oversight for public bodies.²⁰

However, **many are unable to perform effectively due to lack of resources and legal authority**,²¹ non-transparent appointment processes that do not guarantee technical suitability, autonomy, and exclusivity of mandate, as well as absence of effective enforcement mechanisms.²²

3) Regression in proactive transparency and difficult access to information on corruption prevention²³

Proactive transparency, including through dedicated portals and open data, contributes to making corruption-related information widely available. However, in practice, the opportunities are often squandered, leaving **less access than is needed**.

For instance, in Central Europe, several countries have legally established that information of public interest, including on corruption, is affirmatively published.²⁴

¹⁹ The report to the UN General Assembly *A steady path forward: UNESCO 2022 report on public access to information (SDG 16.10.2)* draws conclusions from the Survey on Public Access to Information, and voluntary national reports (VNRs) conducted by UNESCO in 2022, including that “the role of access to information is widely reported (...) as critical in strengthening communities and public institutions.” The survey points to the even growing number of countries and territories having constitutional, statutory and/or policy guarantees for access to information, and that “Importantly, these guarantees largely include the need for an oversight body and a requirement for the public bodies to appoint officers handling access to information issues. These measures facilitate the implementation of the guarantees, especially when the oversight body, typically an Information Commission or Commissioner, is an independent institution.”

²⁰ UNESCO, *The Need to Accelerate Worldwide Progress: UNESCO 2023 Report on Public Access to Information (SDG Indicator 16.10.2)* (Paris: UNESCO, 2024), <https://unesdoc.unesco.org/ark:/48223/pf0000389214>.

²¹ Research from a specialized civil society organization showed that in a country from Sub-Saharan Africa, over 80% of information requests were denied or ignored, largely due to weak enforcement and inaccessible appeals systems. See Africa Freedom of Information Centre, *Between Paper and Practice: An Analysis of Access to Information Requests in Uganda (2018–2025)* (January 29, 2026), <https://www.africafoicentre.org/wpdmpro/between-paper-and-practice-an-analysis-of-access-to-information-requests-in-uganda-2018-2025/>.

²² A country in the Latin American region recently eliminated their independent oversight body, which according to civil society organizations leaves a significant gap in oversight and enforcement. See Fundar, “México dejará de ser un referente en el mundo en materia transparencia para convertirse en uno de opacidad,” November 26, 2024, <https://fundar.org.mx/mexico-dejara-de-ser-un-referente-en-el-mundo-en-materia-transparencia-para-convertirse-en-uno-de-opacidad/>.

²³ Challenge 3 affects implementation of UNCAC Article 10(c): “Publishing information, which may include periodic reports on the risks of corruption in its public administration”.

²⁴ These requirements are supplemented by legal obligations to implement European Union directives on the reuse of information and open data, as well as procurement legislation. CEELI Institute, *Shining the Light on Corruption: Freedom of Information and Transparency in Central and Eastern Europe* (Prague: CEELI Institute, 2024), https://ceeliinstitute.org/assets/resources/ceeli_shining_light_on_corruption.pdf. Another European civil society organization observed that government websites in their country often

However, few have adopted open data portals for national bodies and regularly publish information in practice.

In some Asia-Pacific countries, civil society parallel reports on UNCAC implementation found that **proactive disclosure is not prioritised**, not resourced, and not monitored.²⁵

In global South countries, access-to-information measures often do not translate into greater public access to relevant data on public finances, for instance information on public debt.²⁶

4) Setback in responding to ATI requests

Civil society reports have indicated deterioration in ATI protections in many countries, as, institutions **deny access without justifying the eventual harm** that disclosure would cause, ignoring their burden of proof.²⁷

In some countries, implementation of legal frameworks is often undermined by **administrative and institutional barriers**²⁸ such as complex bureaucratic procedures, lengthy response times, poor digital platforms to streamline requests, or lack of designated information officers and trained personnel. For instance, in several Sub-Saharan African countries, civil society reported that government officials were reluctant to disclose information, which usually manifests through delays, denials, or unprocessed requests.²⁹

migrated and changed, making difficult to track information. Besides, the meetings of Parliamentarians with interest groups were not disclosed, and the facilitation of information for different groups of society was not widely respected by the administration although legally required, and national risk assessment information is not updated.

²⁵ Transparency International Sri Lanka (TISL), Civil Society Parallel Report on Sri Lanka's Implementation of the United Nations Convention against Corruption (UNCAC), Chapters II (Prevention) and V (Asset Recovery), June 20, 2025, <https://www.tisrilanka.org/wp-content/uploads/2025/06/Final-%E2%80%93-UNCAC-Civil-Society-Parallel-Report-on-Sri-Lanka-%E2%80%93-TI-Sri-Lanka-%E2%80%93-UNCAC-Coalition-%E2%80%93-20-June-2025.pdf>.

²⁶ Transparency International, National Democratic Institute, and Open Government Partnership, Public Debt Confidentiality: Separating Fact from Fiction, December 15, 2025, https://files.transparencycdn.org/images/Public-Debt-Confidentiality-Separating-Fact-from-Fiction_UPDATE.pdf.

²⁷ Access Info Europe, "Malta: Access Info Wins Court of Appeal Ruling that All EU Citizens Have a Right to Submit Information Requests," January 26, 2023, <https://www.access-info.org/2023-01-26/malta-access-info-wins/>.

²⁸ Administrative and institutional challenges affect the implementation of UNCAC Article 10(b): "Simplifying administrative procedures to facilitate public access to the competent decision-making authorities".

²⁹ Africa Freedom of Information Centre, *Global Comparative Testing of Responses to Requests for Information*, November 18, 2025, <https://www.africafoicentre.org/wpdmpro/global-comparative-testing-of-responses-to-requests-for-information/?wpdmdl=28463&refresh=6948e1dec90e81766384094>.

Besides, 43% of countries do not keep disaggregated data for non-disclosure or partial disclosure of information.³⁰

5) Constraints on civil society and media³¹

Civil society is recognised as a key partner under UNCAC.³² However, in a number of states, CSOs face **increasing legal and regulatory restrictions** on their activities. In many others, governments do not engage with them, or actively undermine their efforts, to the detriment of the greater goal of fighting corruption.³³ In addition, journalists face escalating attacks across multiple regions, especially for exposing corruption and abuse, with women journalists disproportionately targeted.³⁴

CSOs from North American countries and Sub-Saharan African countries highlighted that **pursuing information, especially through litigation, could be extremely costly**, which in practice deters information requests and excludes citizens.³⁵

Besides, evidence shows that while public consultation processes have expanded, their effectiveness remains uneven. In some countries, public consultation is poorly scheduled, involves short deadlines, and is not meaningfully integrated into decision-making.³⁶

³⁰ UNESCO, The Need to Accelerate Worldwide Progress: UNESCO 2023 Report on Public Access to Information (SDG Indicator 16.10.2) (Paris: UNESCO, 2024), <https://unesdoc.unesco.org/ark:/48223/pf0000389214>.

³¹ Constraints on civil society and media affect the implementation of UNCAC Article 13.1(a): “Enhancing the transparency of and promoting the contribution of the public to decision-making processes” and 13.1(d): “Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption”.

³² Particularly through Article 13. However, a recent civil society report found that the assessment of civic space and civil society participation is largely insufficient in UNCAC review processes, undermining transparency, accountability, and the effectiveness of anti-corruption efforts and the UNCAC’s review mechanism. See Transparency International, *Missing in Action: Where Is Civic Space in UNCAC Reviews?* (Berlin: Transparency International, December 9, 2025), https://files.transparencycdn.org/images/2025_Report_MissingInActionCivicSpace_EN.pdf.

³³ CSOs from a European country reported that the government undermines civil society working in the area of rule of law and anti-corruption. Attempts to engage with the government through different channels have been often ignored/dismissed. Instead, the country’s anti-corruption body voiced the demand that the general public submit high-quality evidence ready to be presented in court for a complaint to be considered, which in practice reduces complaints.

³⁴ UNESCO, *World Trends in Freedom of Expression and Media Development: Global Report 2022–2025 – Journalism: Shaping a World at Peace* (Paris: UNESCO, 2025), <https://unesdoc.unesco.org/ark:/48223/pf0000396638>.

³⁵ Africa Freedom of Information Centre, *Global Comparative Testing of Responses to Requests for Information*, November 18, 2025.

³⁶ A civil society organization reported that in their country calls for public consultation on key processes are published on the dedicated portal after political decisions have already been taken, such as on the media reform, or public consultation doesn’t happen when it comes to sensitive topics, such as corruption. Finally, submissions to the public consultation processes are not routinely published.

Finally, low public awareness of ATI legal frameworks is an important challenge in many countries, partly due to insufficient awareness-raising and education programmes.³⁷

In light of the above-mentioned gaps and challenges, **we would like to provide the following recommendations:**

To States Parties:

- **Implement strong access to information laws which respect core international standards**, including through a broad scope of coverage, user-friendly procedures for making and responding to requests for information, clear and narrow regimes of exceptions, effective, resourced and independent administrative oversight bodies, and sanctions for wilful obstruction of access and protections for good faith disclosures.³⁸ At best, information held by all public bodies should fall under the scope of one single ATI law.
- Ensure **accessible and affordable information request procedures**.
- **Strengthen and speed up appeal mechanisms**. Mandate the standardization of response timelines, the publication of anonymized request tracking data, and the establishment of clear, enforceable sanctions for public officials who fail to comply with statutory response periods.
- Expand **proactive disclosure and prioritize data on government budgets, procurement, judiciary information and statistics, and information of key**

³⁷ Insufficient awareness-raising and education programmes affect the implementation of UNCAC Article 13.1(c): “Undertaking public information activities that contribute to non-tolerance of corruption, as well as public. education programmes” and Article 13.2: “Ensure that the relevant anti-corruption bodies are known to the public and shall provide access to such bodies for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention”.

³⁸ The Tashkent Declaration on Universal Access to Information, UNESCO, Sept. 2022 (CI/UAI/2022/55), <https://unesdoc.unesco.org/ark:/48223/pf0000383211> calls UNESCO Member States “to create a legal, policy and institutional environment, which ensures everyone’s right to access information through adopting and implementing statutory and institutional mechanisms to guarantee this right”. It also details the standards that should be met by these mechanisms including:

- apply broadly to all information and data held by public authorities.
- incorporate procedures to guarantee full respect for this right.
- provide for a limited regime of exceptions;
- provide for an effective system of oversight, including by independent administrative bodies.

Further, the report by OHCHR on access to information held by public bodies presented at the 49th session of the UN Human Rights Council (2022) recognizes that “the right to information is most fully realized when access to governmental information is guaranteed by freedom of information legislation”. Paragraph 17 highlights that “When restricting access to information, States must ensure that the restricting measure is in compliance with international human rights law, should adhere to standards and recommendations established by international and regional human rights mechanisms and be guided by best practices.”

sectors,³⁹ and ensure that information is updated and released in open, machine-readable formats.

- Support **capacity-building programmes** for public officials to advance towards a culture of openness in the public service.
- **Promote public awareness campaigns and ensure meaningful participation processes**, and publish reports explaining how civil society recommendations were integrated into policies.
- **Protect freedom of expression** and investigative journalism.

To the CoSP and subsidiary bodies:

- **CoSP: Expand guidance for the implementation of Articles 10 and 13** with updated standards, by **adopting a dedicated resolution** on access to information for the prevention of corruption.⁴⁰

³⁹ For instance, relevant information to tackle corruption-related crimes that affect the environment, such as open environmental databases. See Global Civil Society Coalition for the UNCAC's Environmental Crime and Corruption Working Group, "From Commitment to Implementation: Addressing Corruption Enabling Crimes that Affect the Environment". Submission to the 17th Session of the Implementation Review Group, May 4, 2026, <https://uncaccoalition.org/wp-content/uploads/Addressing-corruption-enabling-crimes-that-affect-the-environment---IRG-written-submission-by-ECC-Working-Group---4-May-2026.pdf>.

⁴⁰ A CoSP resolutions on access to information could build upon CoSP Resolution 11/4 (paragraph 20) and Resolution 11/7 (paragraph 13), as well as:

- Political Declaration of the UNGASS 2021: "22. We will respect, promote and protect the freedom to seek, receive, disseminate and publish information concerning corruption, and ensure that the public has effective access to information, in accordance with the domestic laws of States. We commit to increasing the transparency of decision-making processes, in accordance with the fundamental principles of domestic law, as a means to prevent and combat corruption and facilitate efficient processes, including by adopting appropriate and necessary procedures or regulations and designating and enhancing bodies responsible for facilitating access to information, as well as through the use of digital tools, open data and Internet-based portals to help make information more accessible, with due regard for data protection and privacy rights.";

- Human Rights Committee – International Covenant on Civil and Political Rights General Comment No 34, 2011, Article 19, <https://docs.un.org/en/CCPR/C/GC/34>;

- Human Rights Council Resolution 56/7 - Freedom of opinion and expression, adopted on 10 July 2024 (A/HRC/RES/56/7), <https://digitallibrary.un.org/record/4059824?ln=en&v=pdf>: "To adopt and implement laws and policies that ensure the freedom to seek, receive and impart information, including by:

(i) Undertaking all necessary efforts to ensure easy, prompt, effective and practical access to government information of public interest, including online, and encouraging the proactive disclosure of information held by public entities in the broadest possible terms, including on grave violations and abuses of human rights, and ensuring that grounds for refusing the disclosure of information held by public bodies are narrowly defined;

(ii) Enacting the necessary procedures to allow equal participation in access to information and to facilitate access to and use of information;

(iii) Facilitating and promoting access to and use of communications and digital technologies".

- **UNODC: Produce a report setting out best practices** and technologies for countries to implement under Articles 10 and 13, and related provisions.⁴¹
- **Working Group on Prevention and Implementation Review Group:** Mandate regular thematic reporting on ATI, addressing implementation gaps and emerging challenges. Share assessments on the impact of robust and effective ATI legal frameworks, and facilitate peer learning and exchange of best practices. Produce updated, practical guidance like classification systems, request procedures, and monitoring frameworks.
- **Enhance multilateral coordination** with UNESCO, UNDP, OHCHR, and other UN bodies tasked with monitoring and promoting ATI, to jointly assess challenges and update guidance.
- States Parties should provide updated **information and assessments on the impact of effective ATI legal and institutional frameworks to combat corruption** to the CoSP and the Working Group on Prevention.
- States Parties should **implement ATI in the UNCAC review mechanism**, by publishing information on the focal point and the review timeline, facilitating civil society contributions, and fostering public discussions on findings.

⁴¹ Building upon Resolution 11/4, OP20.